



Legislative Fiscal Office
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Bill Title: Relating to justice of the peace districts.

Government Unit(s) Affected: District Attorneys, Public Defense Commission, Counties, Judicial Department

Summary of Fiscal Impact

Costs related to the measure are indeterminate at this time - see explanatory analysis.

Measure Description

The measure expands a justice of peace district's jurisdiction to include the county seat or city where a circuit court resides. Under current law, a justice of the peace district may not include any portion of a city that contains a county seat or contains a portion of the city where a circuit court regularly holds court, with the exception of nine counties. The measure would remove this restriction and allow a justice of the peace district's jurisdiction to include any portion of a city that contains a county seat or circuit court.

Fiscal Analysis

The fiscal impact is indeterminate and dependent on how many counties implement the change of boundaries for the justice of peace districts.

Under current law, justice courts have parallel jurisdiction with circuit courts over small claims, Forcible Entry and Detainer cases (aka evictions), civil matters under \$10,000, violation offenses, and misdemeanor cases that reside within their boundaries and provide public defense for certain case types. There are currently 25 justice courts residing in 23 of 36 counties. No more than six justice of the peace districts are allowed to be in any one county. Justice courts are of limited geographical jurisdiction due to their boundaries not allowing for overlap with the circuit court's jurisdiction, which are of general jurisdiction. Petitioners that fall into the jurisdiction of either court may choose where to file their case. Law enforcement and district attorneys can similarly choose to prosecute or issue citations to appear in any court that has jurisdiction over an offense.

By expanding the boundaries of justice of the peace districts, having no geographical limits could potentially effect whether prosecutors and law enforcement officers decide to charge a violation or misdemeanor in a justice court or circuit court. Justice courts could see an increase in cases filed within their court that would not have been previously allowed, which could affect local government expenditures and revenue depending on the number of cases filed within their court. Conversely, there could be a decrease in cases filed within circuit courts that could affect their expenditures and revenues transferred to the state, as justice courts retain a greater percentage of revenue generated from violation and misdemeanor fines. These changes could have implications on the Criminal Fines Account. The removal of geographical limits could also lead to an increase of indigent defense services justice courts could provide if a petitioner chooses to file within their court, which in turn could cause a decrease of the Public Defense Commission expenditures on certain misdemeanor cases.

Relevant Dates

The measure takes effect on January 1, 2026.